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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,916	06/13/2000	Adriano Huber	PM 258042	5750
909	7590	12/09/2003	EXAMINER	
PILLSBURY WINTHROP, LLP P.O. BOX 10500 MCLEAN, VA 22102			LEE, CHI CHUNG	
			ART UNIT	PAPER NUMBER
			2131	9
DATE MAILED: 12/09/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/592,916	HUBER ET AL.
	Examiner	Art Unit
	Chi-Chung E Lee	2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 13 June 2000.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-25 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-10, 12-14 and 18-25 is/are rejected.

7) Claim(s) 11 and 15-17 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 14, 20, 22 are objected to because of the following informalities: The phrase "according to preceding claim" in each of these claims is unacceptable because it does not refer to any specific claim. The applicant might mean it to be claim 13 (for claim 14), 19 (for claim 20) or 21 (for claim 22), however such usage of the phrase should be avoided since such immediately preceding might be cancelled in the course of prosecution of the case. To pursue the examining task, the examiner assumes claim 14 is the dependent claim of claim 13, claim 20 is the dependent claim of claim 19, and claim 22 is the dependent claim of claim 21.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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2. Claims 19-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Gelman et al (US 6,415,329 B1).

As per claim 19, Gelman discloses a gateway (i.e. destination gateway 16, see figure 1) able to receive WTLS-secured datagrams from WAP-enabled terminal (i.e. client 10, see figure 1) and to convert them into SSL-secured requests (i.e. protocol translation from WLP to TCP, see column 8 lines 11-20), wherein said gateway can recognize datagrams that are to be sent on transparently and routes these datagrams without decrypting them [see column 11 lines 45-67].

As per claims 20, 21, Gelman discloses the packets are routed according to the domain name (i.e. IP address) and port number (i.e. TCP port) of the requested page [see column 8 line 51 – column 9 line 7].

As per claims 22, 23, 24, Gelman discloses the packets are routed to different secured domains (i.e. different hosts, see figure 8) according to different to different port numbers [see column 13 lines 40-57].

As per claim 25, Gelman discloses a method with which a terminal (i.e. client 156, see figure 7) can access a server (i.e. server 134 see figure 7), wherein client sends a request to a gateway (i.e. remote gateway 138), wherein the security between the client and the gateway is based on a first security protocol (i.e. WLP), wherein said server is secured with a second security protocol (i.e. TCP/IP), wherein the conversion between said first

and said second security protocol is effected in a secured domain of said server administrated by the SNAT module, and the packets are routed by said gateway to said secured domain without decrypting all the packets (i.e. a NGNT embodiment, see column 10 line 65 – column 11 line 7 and column 12 lines 29-65).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10, 12-14,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al (US 6,587,684 B1) in view of Gelman et al (US 6,415,329 B1).

As per claim 1, Hsu discloses a method with which a mobile subscriber with a WAP-enabled terminal (i.e. digital telephone, see figure 1) can access the WAP server (i.e. provisioning server 24, see figure 1), wherein said terminal send a request to a WAP gateway (i.e. the mobile switch center 12, MSC, see figure 1). Hsu discloses the security protocol used by said server is based on the SSL (i.e. TCP/IP) security protocol. Hsu discloses the MSC 12 is configured for protocol translation between WTLS (i.e. RLP wireless data protocol) and SSL (i.e. TCP/IP) used by the packet switched network 22 [see column 11 lines 35-50]. Hsu discloses the packets sent by digital telephone are

routed by said gateway to said secured domain, without decrypting all the packets transported during a session [see column 11 line 51 – column 12 lines 7 and column 6 lines 30-47].

Hsu discloses the air interface between digital telephone and the MSC (i.e. gateway) is based on RLP and I-95 A wireless data protocol.

Hsu does not expressly disclose the air interface between digital telephone and the MSC is based on Wireless Transport Layer security (WTLS). The examiner asserts using the WTLS interface is well known in the art.

One of ordinary skill in the art would have been motivated to use WTLS interface, which is recommended by the WAP forum, to secure the packet transmission between the digital telephone and the gateway.

As per claim 2, Hsu discloses said gateway routs said packet to a proxy (i.e. data proxy gateway 20, see figure 1) in said secured domain using at least one protocol layer of the WAP protocol (see figure 2 and column 11 lines 35-63).

As per claims 3,4,6,7,8, Hsu discloses the packets are routed according to the URI (i.e. URL, see column 13 lines 25-45) and port number (i.e. TCP port) in said gateway.

As per claim 5, Hsu discloses the system includes the IWF 18 configured to establish a 2-way communication link for digital telephone to access one or plurality of servers [see column 6 lines 17-47].

Hsu does not expressly disclose the packets are routed according to different port number. The examiner asserts using different TCP ports to different server is well known in the art.

One of ordinary skill in the art would have been motivated to use different TCP ports to the URL address to set up different security levels for routing the packets.

As per claims 9, 10, 12,13,14, Hsu discloses the client browser 88 uses an internet URL-encoding format, for example device://file/parameters to communicate between the digital telephone 16 and an addressed server [see column 13 lines 25-45].

Hsu does not disclose a browser from said URL of the required web page extracts said port number.

Gelman discloses the client system is using the TCP packets with certain TCP ports used to communicate with the server [see column 28 lines 48-67].

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use the port number with the address to send the message to the server [see column 29 lines 15-53].

One of ordinary skill in the art would have been motivated to exercise great control over data traversing a gateway without any of the clients knowing the gateway exists [see column 11 lines 46-60]

Claim 18 has similar limitations as claim 1; therefore, they are rejected under the same rationale.

***Allowable Subject Matter***

5. Claims 11, 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chi-Chung E Lee whose telephone number is 703-306-4153. The examiner can normally be reached on 8 am - 5 pm, Mon. - Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*C.J.*  
Chi-Chung Lee  
12/3/03

*Ayaz Sheikh*  
AYAZ SHEIKH  
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